

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

GENERAL MOTORS CORP., *et al.*,

Debtors.

Chapter 11 Case No.

09-50026 (REG)

(Jointly Administered)

**OBJECTION TO PROPOSED CURE AMOUNT
FILED BY ETKIN MANAGEMENT SERVICES, INC.**

Etkin Management Services, Inc. ("Etkin Management"), by and through its undersigned attorneys, states for its Objection to Debtors' Intent to Assume and Assign Certain Executory Contracts as follows:

1. Etkin Management has a contract with General Motors Corp. (the "Debtor") to provide maintenance services for certain real property located in Pontiac, Michigan, pursuant to GM Contract ID: GMB07271 (Vendor ID # 185841541) (the "Maintenance Contract").

2. On June 15, 2009, Etkin Management received Notice of (I) Debtors' Intent to Assume and Assign Certain Executory Contracts, Unexpired Leases of Personal Property, and Unexpired Leases of Nonresidential Real Property, and (II) Cure Amounts Related Thereto. Pursuant to this notice, Etkin Management accessed the Debtor's website and was informed that the proposed Cure Amount for the subject contract was \$154,628.80, in the event that it is assumed and assigned as described in the Debtor's pending Motion to sell its assets.

3. The Cure Amount stated by the Debtor is inaccurate. Pursuant to the records of Etkin Management, the amount actually owed by the Debtor under the Maintenance Contract is \$223,190.83, as of and including services rendered pre-petition through May 31, 2009. Thus, the total Cure Amount should be at least \$223,190.83.

4. It should also be noted that the Maintenance Contract is ongoing and said cure amount must be amended to provide for services which have already been provided, and will be provided, post-petition through the date of any assumption and assignment.

5. Therefore, Etkin Management requests that the Cure Amount stated by the Debtor for the assumption and assignment of the Maintenance Contract be amended to be at least \$223,190.83, plus any other amounts that may accrue and be unpaid at the time of the assumption and assignment, and that the Debtor provide for full payment of said amount upon any such assumption and assignment.

6. The date of the Notice of Debtor's Intent to Assume and Assign Certain Executory Contracts is June 5, 2009. Etkin did not receive the Notice until June 15, ten days after the date of the Notice and, accordingly, filed its Objection as promptly as possible under the circumstances.

WHEREFORE, Etkin Management Services, Inc. respectfully requests that the Cure Amount for its Maintenance Contract with the Debtor be amended from \$154,628.80 to \$223,190.83.

Respectfully submitted,

ERMAN, TEICHER, MILLER,
ZUCKER & FREEDMAN, P.C.

/s/ Earle I. Erman

Earle I. Erman (P24296-MI)
Attorneys for Etkin Management Services, Inc.
400 Galleria Officentre, Suite 444
Southfield, MI 48034
Phone: (248) 827-4100
Fax: (248) 827-4106
erman@ermanteicher.com

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